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8 **UNITED STATES DISTRICT COURT**
9 **SOUTHERN DISTRICT OF CALIFORNIA**
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11 MICHAEL FOX,

12 Plaintiff,

13 vs.

14 PAULA PATSON, et al.,

15 Defendants.

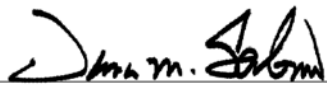
CASE NO. 07cv2388 DMS (POR)

**ORDER DENYING FEDERAL
DEFENDANTS' EX PARTE
APPLICATION AS MOOT**

16 On February 26, 2008, the Federal Defendants in this case filed an Ex Parte Application for
17 Additional Time to File Responsive Pleading. Plaintiff has filed an opposition. As indicated by the
18 Federal Defendants in their Ex Parte Application, and as reflected on the Court's docket, Plaintiff filed
19 a First Amended Complaint on January 30, 2008. It is unclear whether Plaintiff has served this
20 document on any of the named Defendants, including the Federal Defendants. In the absence of such
21 evidence, the time for the Federal Defendants to respond has not yet begun. Accordingly, Defendants'
22 Ex Parte Application is denied as moot.

23 **IT IS SO ORDERED.**

24 DATED: March 7, 2008

25 
26 HON. DANA M. SABRAW
27 United States District Judge
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